IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL WRIT PETITION NO.2319 OF 2006

Smt.Kanchan Anilkumar Dalwani & Ors. ...Petitioners.
V/s.
Anilkumar Rameshlal Dalwani & Anr. ...Respondents.

Shri P.D.Dalvi, adv. for the Petitioners.
Shri Y.S.Shinde, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 30TH April, 2007.

P.C.:

1. Heard Mr.Dalvi the learned counsel for the petitioners.

2. To state in brief, the petitioner no.1 is wife of the respondent no.1 and petitioner nos.2 and 3 are their minor children. Petitioners had filed an application for maintenance in the Court of J.M.F.C., Ulhasnagar. After hearing the parties, the learned J.M.F.C. by the order dated 2nd May, 2006 directed the respondent to pay Rs.1300/- per month to the wife and Rs.1050/- per month each to two children from the date of application. That order was challenged in Criminal Revision Application No.73 of 2006 by the respondent. He also made an application for interim stay to the order of maintenance. First Ad-hoc Additional Sessions Judge, Kalyan directed the respondents to pay lumpsum of

Rs.1,500/- per month towards the maintenance from the date of their application pending the final hearing and disposal of the revision application. That order is challenged in the present writ petition. After some discussion at bar, I find that consideration of the present petitioners may be same, which may be while deciding the revision application. Revision application is pending before the Sessions Court for the last about 9 months. In such circumstances, in my opinion, it will not be desirable to interfere in the interim order by invoking inherent jurisdiction. The purpose will be served if the Sessions Court is directed to dispose of the revision application within the stipulated period.

3. The Additional Sessions Judge, Kalyan is hereby directed to dispose off the Criminal Revision Application 73 of 2006 within three months as per the law.

4. With the said directions, the Writ Petition stands dismissed summarily.

(J.H.Bhatia,J.)